

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GREGORY HUGH SCHEITLER,

Petitioner,

Case No. 5:06-cv-154

v

Hon. Wendell A. Miles

CINDY CURTIN,

Respondent.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND SUMMARY DISMISSAL

On October 30, 2006, United States Magistrate Judge Ellen S. Carmody issued a Report and Recommendation (“R & R”) recommending that Gregory Hugh Scheitler’s petition for writ of habeas corpus be summarily dismissed pursuant to Rule 4 because it does not raise a meritorious federal claim. Petitioner has filed timely objections to the R & R (docket no. 3). The court, having reviewed the R & R filed by the United States Magistrate Judge in this action, petitioner’s objections, and the relevant portions of the file, agrees with the recommended disposition contained in the R & R.

IT IS ORDERED that the petition for a writ of habeas corpus is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED.

IT IS FURTHER ORDERED that petitioner is DENIED leave to appeal in forma pauperis.

Entered this 5th day of December, 2006.

/s/ Wendell A. Miles
Wendell A. Miles
Senior U.S. District Judge